

**Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application:

**Listing of Claims:**

Claims 1 – 11 (Cancelled)

12. (Previously Presented) A method of fabricating a semiconductor device having a ferroelectric capacitor, comprising the steps of:

forming an active device element on a substrate;

forming an insulation film over said substrate to cover said active device element;

forming a lower electrode layer of said ferroelectric capacitor over said insulation film, such that said lower electrode is formed on a layer containing Ti;

forming a ferroelectric film on said lower electrode as a capacitor insulation film of said ferroelectric capacitor;

crystallizing said ferroelectric film by applying a thermal annealing process in an O<sub>2</sub> atmosphere under a reduced total pressure in the range between 1 Torr and 40 Torr such that peeling of the ferroelectric film is substantially reduced; and

forming an upper electrode layer on said ferroelectric film.

Claims 13 – 28 (Cancelled)